

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Terry Tyrone Pullen, Jr.,

Plaintiff,

v.

Case No. 1:17cv255

Correctional Officer  
Mr. Combs, *et al.*,

Judge Michael R. Barrett

Defendants.

**ORDER**

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on August 21, 2017 (Doc. 7).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 7) of the Magistrate Judge is hereby **ADOPTED**. The Complaint (Doc. 6) is dismissed with prejudice consistent with the recommendation by the Magistrate Judge. This matter shall proceed with the following claims: Eighth Amendment claim for the use of excessive force against defendant Combs; plaintiff's excessive force claims against Ms. Felts, Sgt. Felts, and Sgt. Bear; his excessive force claim against Sgt. Felts and C/O Shaw; his claim that Sgt. Felts, Oppie, Bailey, Shaw and Haywood violated his Eighth Amendment rights; his failure to protect claim against Shaw and Clere; and his claim that defendants

Hill, Hart and Jane Doe allegedly denied him medical care.

**IT IS SO ORDERED.**

*s/Michael R. Barrett*

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Michael R. Barrett  
United States District Judge